

April 21, 2015

AGENDA

Regular Meeting of the Hazlet Township Committee held at 8:03 p.m.

Salute to the flag and moment of silent prayer called by Mayor.

Mayor's Statement – Open Public Meetings Act & Emergency Fire Exits.

In Compliance with the “Open Public Meetings Act” of the State of New Jersey, adequate notice of this meeting of the Township Committee was provided in the following manner:

- (A) On January 5, 2015, advance written notice of this meeting was posted at:
1766 Union Avenue, Hazlet, New Jersey.
- (B) On January 5, 2015, advance written notice of this meeting was forwarded to the Independent and published in the Asbury Park Press on January 7, 2015.
- (C) On January 5, 2015, copies of advance written notice of this meeting were mailed to all persons who requested and paid for such notices on or before January 1, 2015.

FIRE EXITS are located in the directions I am indicating:

Farther down at the end of the room, through the doors and down the stairs, directly out the front door.

To my right is the door, make a right down the hallway which leads to the stairs and directly out the rear of the building.

If you are alerted for fire, please move in a calm and orderly manner to the nearest exit. Finally, let the record reflect that the minutes of this meeting will accurately reflect the topics addressed during this meeting but will not be a verbatim transcript of tonight's proceedings. Thank you. I direct the Municipal Clerk to enter into the minutes of this meeting these announcements.

<u>ROLL CALL</u>	<u>PRESENT</u>	<u>ABSENT</u>
Committeeman DiNardo	_____	_____X_____
Committeewoman Kiley	_____	_____X_____
Committeewoman Ronchetti	_____	_____
Deputy Mayor Aagre	_____	_____
Mayor Sachs	_____	_____

Approval of Executive Session Minutes – April 7, 2015

Offered Deputy Mayor Aagre

2nd Committeewoman Ronchetti

Roll Call: Committeeman DiNardo Absent

Committeewoman Kiley Absent

Committeewoman Ronchetti Yes

Deputy Mayor Aagre Yes

Mayor Sachs Yes

RESOLUTION S-1 – MAYOR’S APPOINTMENTS

Open Space Advisory Council - Victor Ianello and Bill Shea.

Resolutions, Motions and Appointments:

Resolutions #114 through #116 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussions of these items. If discussion is desired by the Mayor or any member of the Township Committee, that item will be removed and will be considered separately. Advance copies of each resolution have been given to each Committee Member. The original resolutions are with the Municipal Clerk for inspection as listed below.

114. Giving support to the Borough of Keansburg to develop 196 Beachway, Block 15, Lot 1.

115. Authorizing the Recreation Advisory Council to hold fireworks on July 5, 2015.

116. Issuance of Raffle License RL-4041 to the Monmouth County USBC Inc.

Offered Committeewoman Ronchetti

2nd Deputy Mayor Aagre

Roll Call: Committeeman DiNardo Absent

Committeewoman Kiley Absent

Committeewoman Ronchetti Yes

Deputy Mayor Aagre Yes

Mayor Sachs Yes

117. Authorizing the settlement of a tax appeal for JSM Poole Ave, LLC, Walgreens, Block 66 Lot 1.01.

Offered Deputy Mayor Aagre

2nd Mayor Sachs

Roll Call: Committeeman DiNardo Absent

Committeewoman Kiley Absent

Committeewoman Ronchetti Yes

Deputy Mayor Aagre Yes

Mayor Sachs Yes

118. Authorizing the Mayor to execute Change Order #1 for the Blasting and Painting of the Swim and Tennis Club Pools.

Offered Deputy Mayor Aagre

2nd Committeewoman Ronchetti

Roll Call: Committeeman DiNardo Absent

Committeewoman Kiley Absent

Committeewoman Ronchetti Yes

Deputy Mayor Aagre Yes

Mayor Sachs Yes

119. Authorizing the Superintendent of Public Works to execute Progress Payment No. 1 for the Blasting and Painting of the Swim and Tennis Club Pools.

Offered Deputy Mayor Aagre

2nd Committeewoman Ronchetti

Roll Call: Committeeman DiNardo Absent

Committeewoman Kiley Absent

Committeewoman Ronchetti Yes

Deputy Mayor Aagre Yes

Mayor Sachs Yes

120. Authorizing the Chief of Police to participate in the 1033 Program established by the United States Department of Defense for the acquisition of surplus property.

Offered Mayor Sachs

2nd Deputy Mayor Aagre

Roll Call: Committeeman DiNardo Absent

Committeewoman Kiley Absent

Committeewoman Ronchetti Yes

Deputy Mayor Aagre Yes

Mayor Sachs Yes

121. Authorizing the Municipal Administrator to execute Progress Payment No. 2 for the Blasting and Painting of the Swim and Tennis Club Pools.

Offered Committeewoman Ronchetti

2nd Deputy Mayor Aagre

Roll Call: Committeeman DiNardo Absent

Committeewoman Kiley Absent

Committeewoman Ronchetti Yes

Deputy Mayor Aagre Yes

Mayor Sachs Yes

122. Authorizing the Chief of Police to execute an agreement with the Division of Motor Vehicles for Police Security.

Offered Deputy Mayor Aagre

2nd Mayor Sachs

Roll Call: Committeeman DiNardo Absent Committeewoman Kiley Absent
 Committeewoman Ronchetti Yes Deputy Mayor Aagre Yes
 Mayor Sachs Yes

123. Appointment of Stephen Piotrowski, Paul Fins and Jennifer Vincelli as part time shift managers for the Hazlet Swim and Tennis Club.

Offered Committeewoman Ronchetti 2nd Deputy Mayor Aagre

Roll Call: Committeeman DiNardo Absent Committeewoman Kiley Absent
 Committeewoman Ronchetti Yes Deputy Mayor Aagre Yes
 Mayor Sachs Yes

Ordinance Introduction:

1. AN ORDINANCE FIXING AND ESTABLISHING THE SCHEDULE OF SALARIES, SALARY RANGES, INCREMENTS, WAGES AND FEES FOR CERTAIN OFFICIALS AND EMPLOYEES OF HAZLET TOWNSHIP, COUNTY OF MONMOUTH STATE OF NEW JERSEY FOR 2015

Title read by: Deputy Mayor Aagre

Hearing Date: May 5, 2015

Offered Deputy Mayor Aagre 2nd Committeewoman Ronchetti

Roll Call: Committeeman DiNardo Absent Committeewoman Kiley Absent
 Committeewoman Ronchetti Yes Deputy Mayor Aagre Yes
 Mayor Sachs Yes

Payment of Bills:

Advance bill lists have been supplied to each Committee Member.

Offered Committeewoman Ronchetti 2nd Mayor Sachs

Roll Call: Committeeman DiNardo Absent Committeewoman Kiley Absent
 Committeewoman Ronchetti Yes Deputy Mayor Aagre Yes
 Mayor Sachs Yes

Citizens Hearing:

Bill Shewan- On the Pflieger property I understand there is a clean up going on remediation, is that true?

Mayor Sachs- That is complete.

Mr. Shewan- How were the funds paid out of what account?

Mayor Sachs- I believe they are coming out of the general fund. That property was acquired I do not remember how many years ago but after the fact there was a cleanup that had to be done.

Mr. Shewan- I do think for some reason it was coming out of the open space fund.

Attorney Gorman- It may be.

Administrator Pino- I can check with Tom and get back to you.

Mr. Shewan- I do want to bring to your attention the way our ordinance was written is somewhat incorrect. According to N.J.S.A. 40-12:15.7 it covers how you can spend the money how it is allocated. There is nothing in there having to do with remediation. The way we worded it we used improved lands when it should be maintenance of lands. That is the way the law is written and our ordinance is written somewhat different.

Attorney Gorman- There was a referendum maybe a decade ago establishing that. The ordinance that is in affect and the referendum that was adopted and basically I am paraphrasing I don't have it in front of me you do, so you can correct me if I am wrong. It is to acquire, maintain and improve.

Mr. Shewan- Exactly and it says more things for open space. Then it goes on to say that it has to be in accordance with N.J.S.A. 40:12:15-7 and in there it lists a,b,c,d exactly how you can distribute funds so therefore it shouldn't come from open space in my opinion, it is not a legal opinion, in my opinion because it is not an improvement.

Administrator Pino- It was also a lot of testing Bill more than abatement work just proving that there were "x" amount of levels of whatever the concerns were at that point. I will find out from Tom exactly where the money is coming from and let you know tomorrow.

Attorney Gorman- Just to be clear and my opinion of this cleaning up environmental issues is part of what is allowed under that referendum. Otherwise if there was an oil spill behind us here in the park you couldn't use open space funds to clean that up, I think you could.

Mr. Shewan- This is a little different this is the purchase so you are purchasing something up front taking title knowing or not knowing that there is remediation that may have to be taken. That is a little bit different then a spill happens after the fact.

Attorney Gorman- I was not the attorney when the thing closed so the facts of how it closed and how we wound up buying property with some known areas of concern is a much larger issue.

Having acquired the property and having an environmental area of concern on there and having the new regulations from the licensed site remediation expert all that stuff came into play. We are playing catch up as the state statutes keep getting more comprehensive and more restrictive. We are playing catch up and every time we think we got it solved they adopt another way and we have to play catch up to that so that is part of the cost.

Mr. Shewan- There is another point that Mayor Sachs had indicted which I can't validate when it was purchased but this went into effect on February 6, 2007 so if it was purchased prior to that date that property shouldn't even be considered.

Attorney Gorman- No you are wrong. You can use the open space funds to acquire property. This as I understand was to be purchased through some grant program or something like that. That ordinance is certainly broad enough to improve the properties that we own, however we bought them, however we acquired them. Veteran's Park which goes back 40 years, doesn't matter, open space fund can still be used to improve, maintain and do things on that property and any other, Natco, name them. You can check with Mr. O'Hara as to where the monies are coming out of the budget but if it is coming out of the open space fund I think it is totally appropriate. The open space fund from my opinion I think is totally appropriate.

Mayor Sachs- I don't think Tom would take it out of there and pay to do that knowingly that it was inappropriate.

Mr. Shewan- Do you have any idea how much it costs?

Mayor Sachs- On the clean up or the purchase?

Deputy Mayor Aagre- The grant and purchase was around \$180,000.00 so we did not spend anywhere near that on the studies. Once the problem was recognized by DEP we had to take care of it that is why we had to spend the money recently on it.

Mr. Shewan- We haven't received the matching funds on it?

Attorney Gorman- We have not.

Deputy Mayor Aagre- No because we have to clean it up and send the certification.

Mayor Sachs- The last certification was completed.

Mr. Shewan- Another accounting process I have a question about is the park improvements which I agree with park improvements wholeheartedly. I think it is something that the town needs to keep up with regards to the citizens that use these parks and the potential citizens that will use these parks. However I am talking from accounting side now. I understand it was brought up at the last meeting that the spray park was not approved so that is \$300,000.00 the total amounts were about \$690,000.00 for the parks, I think it was \$689,900.00 for the park improvements. The monies were going to be funded through a loan from the state, correct?

Mayor Sachs- Yes.

Mr. Shewan- It was originally classified a bond but it is really not a bond it is a note.

Mayor Sachs- It was actually a loan through the green acres program. At this juncture right now how much money was spent prior to applying for the loan? Was work done prior to checks issued to cover the work that was done?

Administrator Pino- Work done on what?

Mr. Shewan- I can't tell you because I can only say there is remaining balance of approximately \$390,000.00.

Mayor Sachs- The projects that were listed on there I think the only two major projects left on there to be funded through that program were the spray park and snack bar, bathroom facility for HYAL.

Mr. Shewan- It was assumed originally that there were going to be matching funds for this. Why do we go ahead with something

Mayor Sachs- It was assumed it would be in a grant and it did not come back as a grant it came back as a loan.

Mr. Shewan- How can we move on something financially and spend the money if we don't have the grant in place to start off with?

Administrator Pino- We didn't move on any of those projects except the playground equipment and the fencing which was already part of the budget. They were just added to a grant to see if we could sort of be reimbursed for lack of a better term and the spray park I think it was a \$30,000.00 cap on looking into the use of the various spaces on that sight and others to see if it could fit and hold.

Mr. Shewan – Was that money spent the \$30,000.00?

Administrator Pino- Some of it not the whole thing. Those kind of numbers we can get for you. Just give me a little bit of notice.

Mr. Shewan- Again, I feel every one of the projects is worthwhile I didn't totally agree with the spray park.

Megan Croken- I have been trying desperately to work with Bill Lawton who is the Mobile Home Association president and he as well as myself have been getting no respect and I am really upset with the town and my property value has gone way down from my trailer. Now I understand you are trying to come through with condemning some trailers and I already know you missed like 10 of them. Someone is removing them now. John's worker Ronnie Haegel has been moving them know with plyers so we don't know which ones were condemned and which ones weren't. I had asked the last time I was here to please call me when you come into Mieleville because there is a lot of stuff you will miss. Noone called me at all and you did miss a lot of stuff. You Dennis had a meeting with Bill Lawton which I was invited to then you uninvited me and then you looked at the pictures that I took with Bill. That should not have happened and I should have been invited to that and I should have been able to discuss it and

also you told me you would have the pictures here tonight did you bring those back and I called you today for that.

Administrator Pino- Are you ready for an answer?

Ms. Croken- No I am not ready.

Administrator Pino- I don't know because I don't want to interrupt you. One we are not done with the park, two I can't get into the details of everything we are doing because we are in the middle of writing summonses, orders and violations and it will probably continue over another 2 week period. Some go to the property owner, some will go to the actual homeowners because they are causing some of the problems as well. We did not leave out anyone or anything the first net is the big stuff then we will go back and fine tune. There is also going to be, I assume, cooperation from the property owner who will be doing hopefully the right thing along the way as well so we don't have to spend good time and tax payers money in their cleaning up private property and imagine within a month or so there should be a major difference. We are kind of hoping that we can bring it all together and make sure that everything that needs to be is there. We have to thank people who brought information to us because there was a lot of information given to us by people going behind buildings, in buildings, which were off site to us and weren't accessible. Through photos we have seen some other things and have taken some different actions.

Ms. Croken- You sound like a completely different person Dennis. You know what happened when I went to ask questions, you wouldn't answer my questions and neither would Sharon. It was very insulting and very demeaning your face was bright red like you were going to hit me.

Attorney Gorman- Let's move on and go forward and make some progress. Let's try and use this time productively.

Ms. Croken- I am part of a group we have a petition that went around and we also have personal complaints I have many more at home. I am being targeted and I should not be. I am just the messenger and I explained that the last time. I am part of a group and I am part of the Mobile Home Association. I am two different people, I am here as Mieleville but I do things with Bill and we try to help with all the nine parks. I was trying to get a hold of John Conti and it has been 120 days and the Mayor had to get involved for me to get a letter from John for me to get on general assistance because I am applying for disability. It took me to get to the Mayor, another thing which I am sorry to bring up but I didn't the last time but then I got pulled down by cops so now it is all coming out. I was told by the Mayor for me to go the bar to find John Conti.

Mayor Sachs- I control this meeting let's get that straight first of all, I control this meeting that is my job. We are going backwards we are not moving forward we heard all this last week before and we understand you have a problem with getting hold of Mr. Conti and we understand that I intervened and tried to do the best that I could for you with Mr. Conti, like the attorney said let's make progress here, let's not go backwards because we reiterating what we went through 2 weeks ago.

Ms. Croken- Am I allowed back in town hall because I was banned. If we are not going backwards we are going forwards allow me to go get the information I need, that we need as a board.

Administrator Pino- We had some issues between the both of us and you and other employees it did not end well.

Ms. Croken- If we are not going to rehash were not rehashing.

Administrator Pino- You just asked if you were allowed back in town hall and I would love to answer that.

Ms. Croken- The cop told me that I was allowed.

Administrator Pino- Are you ready for the answer? We did not ban you from town hall we told you verbally that we were going to and after talking with our attorney and after me talking with Bill Lawton and after looking at the property I said to myself maybe there is a better way we can handle this and do a couple of things a little differently which we started. Since then you have not come back.

Ms. Croken- You are telling me now but you didn't call me to tell me this.

Administrator Pino- No, because I am still considering it and I may, may need to do something more if this continues. I need you to be very civil with our employees if you need to ask a question I would love for you to ask a question that we can answer.

Ms. Croken- No you are not going to demean me. Let's get to the bottom part, I did not go in there what happened was, I will tell you what happened.

Administrator Pino- You are just about up with your 5 minutes.

Ms. Croken- No.

Mayor Sachs-You are just about up with your five minutes. I know what happened.

Ms. Croken- I asked can you please not interrupt me. I went in I got this report and the report said that we failed inspection us and Holly Hill failed inspection two years in a row. His license has been taken away.

Administrator Pino- You are reading into something that is totally different and not relevant to your situation.

Ms. Croken- Annual inspections were made on the above mobile park homes, which was Holly Hill and Mieleville during the calendar year 2013-2014 and the parks failed both inspections.

Administrator Pino- Those inspections are not tied (cut off)

Ms. Croken- The property rental license will be withheld until all violations are abated or are mutually agreed upon abatement schedules established. That was two years in a row. I have been

exposed to asbestos, mold, mildew, gas and all diseased rodents so you are going to give him more time. This report for the second time I went into town hall I got a different report because I couldn't find this and the other report was like this big. I said that is not the same report and then Dennis did not like that answer he said this is all we have. I said I am sorry I was given a different report and in front of the cop he said to me.

Mayor Sachs- I am not going to have an argument here. I will tell you now you have about a minute and 30 seconds left.

Ms. Croken- Where do you want me to do this then because it is going to be done and if you don't want it to be done in town hall.

Administrator Pino- What do you want to do right now, how can I help you right now, what do you want? You don't want to give us a petition you don't want to tell us what is wrong, what can I do to help you right this minute?

Ms. Croken- If I could tell you what is wrong then maybe you would listen but you don't let me tell you what is wrong.

Administrator Pino- I am listening.

Ms. Croken- I failed inspection when I first got the c/o.

Administrator Pino- That is your responsibility as the tenant.

Ms. Croken- No cleaning up around the trailer was not my property, I rented, I bought the trailer and then I rented the property. The property should have been cleaned up and this should have been given to Mr. Conti.

Administrator Pino- I don't know what happened eight years ago or why.

Ms. Croken- I do I failed. I want my \$75.00 back and then I will get another C/O done. That is one issue the other issue is I can't get a hold of him we have no office. It has been 120 days now I understand he is up on indictment charges so now.

Attorney Gorman- I would not say that unless you know that to be true.

Ms. Croken- Bill was told by Dennis the Mobile Home.

Mayor Sachs- Time is up.

Ms. Croken – Bill told the Mobile Home Association that I am a part of.

Attorney Gorman- Talking about people and that they may be under indictment, as your statement, if it is not true someone can come after you for liable and slander, you don't really want to say those things unless you know them to be true.

Ms. Croken- It is a rumor.

Mayor Sachs- Rumors will get you in trouble.

Ms. Croken- Tell me about it and you of all people should know that.

Mayor Sachs- Your time is up and I am going to ask you to step away unless you have something new.

Ms. Croken- We are supposed to have an office in our park.

Administrator Pino- That expired 9 years ago.

Ms. Croken- When you can't get a hold of your landlord and you have to drive over to another address what do you do. I am losing gas and I am trying to get a hold of my landlord and he is nowhere to be found. I have records that I have called him twice a day according to legal counsel telling me to call him twice a day for the next two months, March and April he never got back to me yet. That is the landlord that I have. This failing I want my money back this is sheds which I came in and asked Sharon about Sheds on the property.

Administrator Pino- That is nothing new you have been advised of that. The shed goes with the property it is the property owners/buyers.

Ms. Croken- I want a permit.

Administrator Pino- There is none.

Ms. Croken- My shed is right up against the other trailer.

Mayor Sachs- Your time is expired.

Ms. Croken- The other man talked longer than I did. You are telling me to be calm and you are not letting me speak you are contradicting everything. We will do it through the press, through Chris Christie whoever we can get a hold of. You don't help and we go back and forth all the time there are no answers.

Charles Hoffman- I am going to ask you to be kind enough to explain to the rest of the tax payers what you explained to me about the 1033 program and how the township uses it. I think they deserve an explanation.

Mayor Sachs- The 1033 program allows the township to receive surplus property from the US government. In the past I guess it has been ongoing in the last year or so, unfortunately there have been municipalities and cities out there that have acquired armored vehicles, rocket launching machine guns, whatever the case may be for what purpose I have no idea. About a month and a half ago we had to stop getting equipment from the Army. The A.G. of the State of New Jersey put a halt on it because of those issues. We are back in the program but as of today this town has received approximately \$1.5 million dollars' worth of equipment that 95% or better percent of it has gone to the Department of Public Works. The only weaponry we got from them was a few rifles to fill the squad cars that everyone now has a rifle in their squad car. Pretty much that is about the only ammunition that we have gotten. We have gotten back hoes, forklifts, generators, computers, computer screens, handheld radios for recreation. They have equipment

out there that we can utilize in high waters now. We have a Hum V in case we ever got flooded hopefully that will never happen. That is the 95%-98% of the equipment that we have acquired has gone to DPW which in turn saves the tax payers dollars that we don't have to include in our budgets down the road to purchase this equipment. It is a great program and fortunately we did a resolution tonight to get back into the program and get some more equipment if there is anything left.

Attorney Gorman- Prior to now the Police Chief or police department could acquire that property without approval from the governing body. The statute was enacted late last year to say now there has to be oversight by the governing body.

Motion to close hearing:

Offered Committeewoman Ronchetti

2nd Mayor Sachs

Voice Vote: Yes

Motion to adjourn:

Offered Committeewoman Ronchetti

2nd Mayor Sachs

Voice Vote: Yes

Time: 8:35 PM